

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

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KIMBERLY HILL,

Plaintiff,

vs. CASE NO. 3:17-CV-00334

CITY OF DAYTON POLICE

DEPARTMENT, et al.,

Defendants.

* * *

Deposition of TIMOTHY REBOULET, Witness
herein, called by the Plaintiff for
cross-examination pursuant to the Rules of Civil
Procedure, taken before me, Stacey L. Kimmel, a
Notary Public in and for the State of Ohio, at the
City of Dayton, Law Department, 101 West Third
Street, Dayton, Ohio, on Wednesday, March 27,
2019, at 10:35 o'clock a.m.

* * *

1	EXAMINATIONS CONDUCTED	PAGE
2	BY MS. BROWN:.....	4
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4	EXHIBITS MARKED	
5	(Thereupon, Plaintiff's Exhibit 1, a	
6	copy of an interview, was marked for	
7	purposes of identification.).....	33
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1 APPEARANCES:

2 On behalf of the Plaintiff:

3 Walton & Brown, LLP

4 By: Chanda L. Brown

Attorney at Law

5 395 East Broad Street

Suite 200

6 Columbus, Ohio 43215

7 On behalf of the Defendants:

8 City of Dayton, Ohio

9 By: Leonard J. Bazalak

Attorney at Law

10 101 West Third Street

Dayton, Ohio 45401

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1 TIMOTHY REBOULET
2 of lawful age, Witness herein, having been first
3 duly cautioned and sworn, as hereinafter
4 certified, was examined and said as follows:

5 CROSS-EXAMINATION

6 BY MS. BROWN:

7 Q. Good morning.

8 A. Good morning.

9 Q. My name is Chanda Brown. We met
10 briefly a few minutes ago.

11 A. Yes, ma'am.

12 Q. I'm an attorney. I represent
13 Lieutenant Kim Hill. Before we begin, can you
14 please state your full name.

15 A. It's Timothy Reboulet,

16 R E B O U L E T.

17 Q. And have you ever had your
18 deposition taken before?

19 A. Yes, I believe so.

20 Q. Okay. In what kind of case was
21 it?

22 A. You know, for the life of me, I
23 was trying to remember. I don't remember. It
24 was -- I don't remember. It was a case that
25 was investigated out on the east side of

1 Dayton.

2 Q. Okay.

3 A. And I think it's about a report
4 that I took while I was in internal affairs.

5 Q. Okay. So it was a civil case,
6 somebody had filed a lawsuit, or it was in a
7 deposition in a criminal trial?

8 A. It was not criminal. It was
9 civil.

10 Q. Okay.

11 A. I think it was seeking damages
12 but, honestly, I cannot remember the specifics
13 of the case.

14 Q. Okay. How many years ago was it?

15 A. Ten maybe.

16 Q. Okay. All right. Well, I'll go
17 over some of the ground rules really quickly
18 just because it's been so long since your last
19 one. No. 1, please make sure you answer the
20 questions out loud. If it's a yes or no
21 question, make sure you say yes or no. Try to
22 avoid the uh-huhs and the huh-uhs that you and
23 I may understand but may be difficult to get
24 typed up later; is that fair?

25 A. That's fair.

1 Q. No. 2, please wait until I get
2 done asking my question before you start
3 answering the question so that there's no
4 overlap. Sometimes in everyday conversation
5 you may know where I'm going with a question
6 and be eager to respond, but please try to wait
7 until I get done; is that fair?

8 A. That's fair.

9 Q. Okay. And No. 3, sometimes I talk
10 fast, I try to consciously tell myself to slow
11 down, but if you don't understand my question
12 for whatever reason, please ask me to rephrase
13 it, otherwise, I'm going to assume by you
14 answering the question that you understood the
15 question; is that fair?

16 A. Fair.

17 Q. All righty. What's your current
18 address?

19 MR. BAZELAK: Since he's a former
20 police officer, I would just give your -- your --
21 I mean, I would give your -- where you worked at
22 the time in terms of your professional address
23 because --

24 THE WITNESS: Professional address
25 was 335 West Third Street.

1 Q. Okay. And how long have you
2 lived -- well -- what -- what is your current
3 occupation?

4 A. Current occupation, I retired
5 Dayton Police sergeant. I am currently driving
6 a school bus for Fairborn City Schools.

7 Q. Okay.

8 A. Which is a part-time job.

9 Q. And when did you retire?

10 A. April of 2017. I think maybe
11 April 21st, 2017.

12 Q. And you retired as a sergeant?

13 A. Correct.

14 Q. And that was at the Dayton Police
15 Department?

16 A. Yes, ma'am.

17 Q. And how long had you worked with
18 the Dayton Police Department before you
19 retired?

20 A. March, 2017, would have been 29
21 years. So just shy of 29 years.

22 Q. Okay. It's not a memory test, so
23 I don't want you to think back to everything
24 you've done for the last, you know, 30 years,
25 but brief summary of the different positions

1 you've had since starting with the Dayton
2 Police Department.

3 A. I started out in patrol. You
4 want, like, locations?

5 Q. Sure, what was your patrol?

6 A. My patrol was assigned to 3rd
7 District, which was Southwest Dayton,
8 midnights, from there I went to 1st District,
9 which is Northeast Dayton, I worked days for a
10 little while.

11 Q. For the 3rd District, do you
12 remember who your commander or reporting
13 officer was?

14 A. Good golly, no. I want to say
15 Lieutenant Hess was out there when I first got
16 out there --

17 Q. Okay.

18 A. -- and Lieutenant Thomas,
19 Lieutenant Miller, and then from there I went
20 to the 1st District and worked -- got the day
21 shift there.

22 Q. Okay.

23 A. Had some -- had some things at
24 home that I needed days and that's where I was
25 able to fit in. And Lieutenant Randy Bean, I

1 believe, was lieutenant, yeah, because he's the
2 one that brought me in and I worked days there
3 for a while and then I went to -- I don't
4 remember how long I was there. It was maybe a
5 year until I was able to get things in line,
6 then I went back to midnights, just
7 seniority-wise. People with more seniority
8 went to days. Then I went -- I'm trying to
9 think -- from there I went to DMHA Task Force.

10 Q. DMHA?

11 A. DMHA. That's called something
12 else now. Just patrolled the different --

13 Q. Let me stop you. These were all
14 as --

15 A. All as patrol.

16 Q. All as patrol?

17 A. Sorry.

18 Q. That's all right.

19 A. Patrol.

20 Q. And so who was your lieutenant at
21 the DMHA Task Force?

22 A. Well, it was more -- I had --
23 Sergeant Luke Williams was the sergeant.

24 Q. Okay.

25 A. I believe it was -- we reported to

1 Lieutenant Jerry Smith.

2 Q. Okay.

3 A. I had very little contact with
4 Lieutenant. It was all through Sergeant
5 Williams.

6 Q. Okay.

7 A. And while on that unit, I was
8 promoted to sergeant.

9 Q. Okay. And what year were you
10 promoted to sergeant?

11 A. Yes, there was a year. Let's
12 see --

13 MR. BAZELAK: Approximate.

14 THE WITNESS: Well, I'm just
15 thinking, like, the Twin Towers was 2001. So I
16 think it was toward the end of 2001, maybe
17 beginning of 2002'ish.

18 Q. And how long had you been at the
19 police department before your promotion to
20 sergeant?

21 A. Well, I'm guessing like 12, 13
22 years.

23 Q. Okay. And that was a civil
24 service exam you had to take for the sergeant
25 position?

1 A. Civil service exam and also an
2 assessment center.

3 Q. Okay. And after the 2001 sergeant
4 promotion, where did you work?

5 A. I went back to home, 3rd District.

6 Q. Okay. As a sergeant there?

7 A. As a sergeant, yes.

8 Q. Were you still doing patrol?

9 A. It was patrol sergeant --

10 Q. Okay.

11 A. -- supervisor. We were on -- we
12 were on four ten-hour days at that time so the
13 same guys work with each other every day for
14 ten hours. So I had the same group of people
15 four days a week.

16 Q. Okay.

17 A. And if you ask me hours, I don't
18 really remember. I know I started early
19 evening, went through the night.

20 Q. Let me pause and go off the record
21 for a second.

22 (Pause in proceedings.)

23 Q. So let's go back on. So you were
24 doing ten-hour days in the 3rd District as a
25 patrol sergeant?

1 A. Correct.

2 Q. Okay. And how long were you there
3 as a patrol sergeant in the 3rd District?

4 A. You know, I don't remember. I
5 mean, it was a few years.

6 Q. Okay. And who was your sergeant?

7 A. My lieutenant.

8 Q. I'm sorry. Lieutenant?

9 A. I think it had to be -- I don't
10 remember. Wow. I honestly don't remember
11 which lieutenant was out there at that time.

12 Q. Okay, that's fine.

13 A. I know I did report still. Golly,
14 I'm sorry. I don't remember exactly who that
15 would have been.

16 Q. Okay. And so after you -- at some
17 point you left the patrol sergeant position in
18 the 3rd District?

19 A. The sergeant -- we had our own
20 dispatch center at the time so it was pretty
21 much the low sergeant off of probation, being
22 probation as a sergeant, got drafted up to
23 dispatch and I got drafted to dispatch.

24 Q. Okay. As a sergeant there in the
25 dispatch?

1 A. Correct.

2 Q. And do you remember who your

3 lieutenant was there?

4 A. I'm pretty sure it was back -- I

5 know Lieutenant Randy Bean was there and

6 Lieutenant -- golly, I can see the guy. I'm

7 sorry. I'm bad with names too.

8 Q. That's all right.

9 A. He retired.

10 Q. It was a male though?

11 A. Male.

12 Q. Okay.

13 A. Yeah.

14 Q. And so after -- how long were you

15 at dispatch?

16 A. I was there a couple years because

17 I took over from dispatch center. I also --

18 also ended up taking over the -- I can't

19 remember the name, recording and everything --

20 everything that goes up to dispatch is

21 recorded, all radio traffic, all calls, 9-1-1,

22 any calls, whether it's dispatch --

23 everything's recorded and the courts often

24 would ask for, like, I need the 9-1-1 tape of

25 this, I need radio traffic of this, and I was

1 doing all of that as well, supplying it for the
2 court.

3 Q. Okay. And so after dispatch where
4 was your next assignment?

5 A. In -- it was called internal
6 affairs at that time.

7 Q. Okay. And when did you start at
8 internal affairs?

9 A. Yeah, I was trying to think of
10 that too. I retired in '17, so I'm thinking
11 like around 2007 maybe --

12 Q. Okay.

13 A. -- 2008. I'm trying to remember
14 if I was there ten years, nine years, eight
15 years. I don't really recall.

16 Q. And when you started at internal
17 affairs, you started as a sergeant there? I
18 mean, you were a sergeant, so you were sergeant
19 with internal affairs?

20 A. Yes, ma'am.

21 Q. And what was your job
22 responsibilities or what were your
23 responsibilities?

24 A. Well, I was sergeant of internal
25 affairs, I supervised detectives, we handled

1 internal -- we handled incoming calls, internal
2 complaints, callouts on serious offenses where,
3 you know, maybe officer-involved shootings,
4 officer was hurt, cruiser accidents, which
5 there was a substantial risk of litigation as
6 far as we handled all, I guess, important --
7 every investigation's important, but maybe high
8 profile cases.

9 Q. Okay. And so you -- did you tell
10 me the year you started there?

11 A. I don't remember.

12 Q. I think you said you didn't but --

13 MR. BAZELAK: 2007 or so?

14 THE WITNESS: Yes.

15 Q. Okay. Sorry. I missed that. Who
16 was your lieutenant?

17 A. When I first got there, it was
18 Lieutenant John Huber.

19 Q. Hubert?

20 A. Huber, H U B E R. I can remember
21 that because he's the one that asked me to
22 come.

23 Q. Okay. And let me back you up a
24 little bit. Lieutenant Hess, is that a white
25 male, do you know?

1 A. Yes.

2 Q. Lieutenant Thomas?

3 A. Lieutenant Thomas, yes.

4 Q. Lieutenant Miller?

5 A. Black male.

6 Q. Lieutenant Bean?

7 A. White male.

8 Q. Sergeant Williams?

9 A. He was white male.

10 Q. Lieutenant Smith?

11 A. White male.

12 Q. And we already said Lieutenant
13 Bean. So Lieutenant Bean was your lieutenant
14 at the 3rd District and then again at dispatch?

15 A. Lieutenant Bean was at 1st
16 District and at dispatch.

17 Q. Okay. And Lieutenant John Huber
18 is a white male?

19 A. He's white male.

20 Q. Okay. And how long was he your
21 lieutenant in the internal affairs?

22 A. I honestly don't remember when he
23 retired.

24 Q. So he retired at some point while
25 you were working there?

1 A. Yeah, he was there for a good
2 amount of time while I was there.

3 Q. Okay. And when he retired, who
4 replaced him?

5 A. I believe Lieutenant Carper at the
6 time replaced him. I can't remember the length
7 of time in between that there was a lag.

8 Q. Okay. And Lieutenant Carper is
9 white male?

10 A. Correct.

11 Q. And how long was Lieutenant Carper
12 there as the lieutenant in the internal
13 affairs?

14 A. He was -- he was -- I don't know.
15 Maybe a couple years, a year. I don't know. I
16 don't remember --

17 Q. Okay.

18 A. -- the time frames, sorry.

19 Q. That's all right. Do you remember
20 when he left?

21 A. He got promoted -- I'm sorry. He
22 got promoted to major. I'm not real sure when
23 he got promoted to major.

24 Q. Was it around maybe 2012 that he
25 got promoted? Do you know?

1 A. That sounds about right.

2 Q. Okay. And so after he was
3 promoted, who was the next lieutenant there?

4 A. Lieutenant Hill.

5 Q. Okay. So was there any time
6 period between his promotion and when
7 Lieutenant Hill took over as the lieutenant
8 there?

9 A. Yes, it was a significant time
10 period between the two.

11 Q. Okay. I read somewhere maybe it
12 was 18 months or so.

13 A. Yes, 18 months was going in my
14 head. I was just afraid to say it.

15 Q. So tell me about who was
16 commanding -- it's still internal affairs at
17 this point or had the name changed to
18 Professional Standards? Do you remember?

19 A. I think we went under Professional
20 Standards under Lieutenant Carper. I'm pretty
21 sure it was under Lieutenant Carper.

22 Q. And so Lieutenant Carper was
23 promoted and that left kind of a vacancy in the
24 lieutenant position in Professional Standards;
25 correct?

1 A. Correct.

2 Q. So during that vacancy, were you
3 asked to take over any additional duties?

4 A. Yes.

5 Q. Okay. Tell me about that.

6 A. Both myself and Sergeant Rike, is
7 the other sergeant in internal affairs, we
8 would alternate -- I can't remember if we did
9 it monthly or three months at a time or what,
10 but we would take over the responsibilities of
11 lieutenant position in that department as well
12 along with our normal duties.

13 Q. Was there any extra pay given to
14 you for doing that?

15 A. There was. It was very
16 insignificant. I mean, it was just -- it -- it
17 was very small for a big headache, yes.

18 Q. Very small compared to the extra
19 amount of work you had to take on?

20 A. Correct.

21 Q. So was it like an hourly pay or
22 you just got pay stipend? How did that extra
23 pay work?

24 A. You get prorated. So your hourly
25 pay is prorated.

1 Q. Okay. And did you have to have a
2 written plan on what you and Sergeant Rike
3 would -- the extra responsibilities? Was there
4 anything -- a formal written plan about your
5 responsibilities?

6 A. No written plan, no.

7 Q. Okay. Were you ever told why they
8 didn't have another lieutenant come in more
9 quickly than the amount of time that it took?

10 A. I believe there was just a
11 shortage of lieutenants at the time in that
12 period of time.

13 Q. Had you ever thought about going
14 and taking the lieutenant's exam?

15 A. I never took the lieutenant's
16 exam.

17 Q. So tell me about the different
18 things that you had to do, you know, the kind
19 of interim commander role for the standards
20 bureau that you didn't have to do previously?

21 A. Well, with the lieutenant's
22 position, you do the findings for
23 investigations, findings for investigations
24 from the detectives and I did the findings
25 investigations from Sergeant Rike. I had to

1 meet regularly -- well, we talked to the next
2 step up, which at that time was Major Ecton,
3 about the cases we were working. We're
4 responsible for -- we got the calls for the
5 callouts and we would be responsible for
6 deciding who would go out to these callouts,
7 who would be assigned cases.

8 Q. Okay. And so for the findings you
9 said that you and Rike -- you would still be
10 doing your investigation role on some of the
11 cases; correct?

12 A. Correct.

13 Q. And then you would do the findings
14 for Rike and Rike would do the findings for
15 you?

16 A. Correct, and whoever that month
17 was handling the lieutenant's position would do
18 any kind of findings from the detectives that
19 would come up, that would be completed.

20 Q. So you got alternating months then
21 on who would be taking on --

22 A. Yeah. I don't remember if we did
23 it monthly or two months, three months at a
24 time or -- I really don't recall how that
25 worked.

1 Q. But it was never concurrent to
2 lieutenant -- two acting lieutenants? There
3 was a rotation of acting lieutenant?

4 A. Correct.

5 Q. And were you paid for the weeks
6 that you were acting as the lieutenant?

7 A. Correct.

8 Q. And that would be something you
9 would report to payroll this week, I acted as
10 lieutenant and this week I didn't? How would
11 that work?

12 A. It would be a special report. I
13 believe we would complete the special report
14 and Major Rike would sign off on it and it
15 would go to payroll. I think they were special
16 reports or -- yeah, that was --

17 Q. Okay. Do you -- during that time
18 frame were you actively trying to find a new
19 lieutenant to come into PSB?

20 A. That -- I had nothing to do with
21 that.

22 Q. So that would be above your grade
23 on who would be looking for the new lieutenant?

24 A. Well above my grade, yes.

25 Q. Was there any input or interviews

1 or request of you about recommendations for a
2 new lieutenant?

3 A. We went to -- we -- I mean we -- I
4 believe -- I wouldn't say for Sergeant Rike but
5 I know I talked to Colonel Chabali --

6 Q. Okay.

7 A. I'm just trying to pull these
8 names out, he was the assistant chief at the
9 time -- to see if it was possible when we might
10 get a lieutenant in that position.

11 Q. Mm-hm.

12 A. It was just a matter of other
13 holes needed to be plugged first and I felt
14 like, yeah, we just -- they didn't have enough
15 lieutenants to fill that spot at that time.

16 Q. Okay. Did you -- were you ever
17 asked about Lieutenant Hill coming in and
18 filling the spot before she actually took the
19 spot?

20 A. Ask -- I'm not sure what you're
21 saying -- ask me --

22 Q. Did a discussion of Lieutenant
23 Hill coming in to take the lieutenant's spot in
24 the PSB come up in discussion with any
25 management or upper level before she actually

1 took the spot?

2 A. When we were told they were going
3 to have a Lieutenant come in, Major Ecton sat
4 down with Rob Rike and I and asked if we had
5 any input on who we'd like to see in that
6 position.

7 Q. Okay. Do you recall giving an
8 interview on October 4, 2016 in relation to
9 Lieutenant Hill's OCRC complaint?

10 A. Yes.

11 Q. Okay. So I'm going to ask you
12 some questions about that.

13 A. Okay.

14 Q. I just want to verify if this was
15 actually said. So I think the question -- a
16 note's mentioned -- there's a question, how did
17 you receive lieutenant's authority over you,
18 how did you feel about it.

19 So the response in here said Major
20 Ecton did come to us to get insight to which of
21 the lieutenants did we think could do a good
22 job. Do you recall having a conversation with
23 Major Ecton about that?

24 A. That's the meeting I was just
25 referring to.

1 Q. What time frame was that?

2 A. I have no idea.

3 Q. It was before she came in? So
4 sometime probably 2012 or 2013?

5 A. When did she come in?

6 Q. I think she came in 2013.

7 A. I'm talking it might have been the
8 week before her assignment. It was soon before
9 her assignment.

10 Q. Okay. So within the same three
11 months or so of her assignment or probably
12 quicker than that?

13 A. Definitely within the same three
14 months. It was probably quicker than that,
15 yes.

16 Q. And did Major Ecton ask you who
17 you thought would do a good job in the
18 position?

19 A. Yes.

20 Q. We talked about Eric Henderson,
21 Gregg Gabby, Kenny Hill, Andy Booher?

22 A. Correct.

23 Q. Did she get those names right?
24 Eric Henderson?

25 A. Eric Henderson, Gabby.

1 Q. Eric Henderson is a black male?

2 A. Black male.

3 Q. Gregg Gabby -- Gabby?

4 A. Gabby, white male.

5 Q. Kenny Biehl?

6 A. Black male.

7 Q. Is that -- is he related to Chief

8 Biehl --

9 A. No.

10 Q. -- that you know of? Okay. No

11 relation to Kenny Biehl?

12 A. No relation.

13 Q. You said white male?

14 A. Yes.

15 Q. And then Andy Booher?

16 A. Andy Booher, B O O H E R, Booher.

17 Q. B O O H E R, and that's a white

18 male?

19 A. Yes.

20 Q. And then next sentence, from us

21 she never came into our minds because she had a

22 past history of not performing. I think -- do

23 you recall giving that statement?

24 A. Something along the lines.

25 Q. So you think that Lieutenant Hill

1 had a past history of not performing?

2 A. Yes.

3 Q. Okay. Tell me about that.

4 A. I've never worked directly for

5 Lieutenant Hill. At the time before her

6 assignment to us, I believe it was lieutenant

7 over investigations, and from all accounts I

8 heard detective section was pretty much in

9 shambles. I don't know what part she played in

10 that or if it was the major at the time. I

11 just heard just -- when she was west pod

12 lieutenant --

13 Q. Well, let me back you up. You

14 just heard from who about the accounts in her

15 previous --

16 A. I can't tell you exactly who I

17 spoke to or what I heard or -- I couldn't tell

18 you.

19 Q. Okay. Did you ever see any of her

20 work product from her previous positions?

21 A. Yes. One of her final reports was

22 on -- there was an investigation that was

23 started into detective section, administrative

24 investigation, on -- I'm trying to think of his

25 name.

1 Q. Was it Larry Tolpin?

2 A. Bingo. Yeah, it was Larry Tolpin.

3 Thank you. I know we were getting
4 information -- I think the investigation ended
5 up coming to internal affairs. Scott Culham, I
6 believe, was the detective. I'm almost a
7 hundred percent sure Scott Collum was the
8 detective.

9 We were getting -- he was
10 getting -- he was receiving information from
11 Lieutenant Hill. I'm not sure how he got it,
12 if it was directly or if it was Lieutenant Hill
13 to -- whatever process it was. But he got
14 information and I went on interviews with him
15 over to the care center and going into them --
16 I remember going into interviews with Libby
17 Nichols or Nicholson who was the head of the
18 care center at the time over there --

19 Q. Okay.

20 A. -- that she was supposed to be
21 having a major problem with Larry Tolpin not
22 doing the job. We went in that interview and
23 pretty much Larry Tolpin sounded like he walked
24 on water. He did everything he could for them,
25 anything that was asked. They had no problems

1 with him at all.

2 Q. So that was what Larry Tolpin told

3 you in the interview?

4 A. No, that's what Libby Nichols --

5 Q. So you interviewed her?

6 A. Right.

7 Q. So I'm trying to get to the bottom

8 of -- so you think that Lieutenant Hill did a

9 poor investigation of Larry Tolpin then? Break

10 it down for me.

11 A. It felt like they were just trying

12 to run Larry Tolpin out of the unit. Again,

13 that's a feeling I got.

14 Q. Okay. You think that Lieutenant

15 Hill was trying to run him out of the unit?

16 A. Again, like I said before, I don't

17 know if this was coming from Lieutenant Hill or

18 Major Williams.

19 Q. Okay.

20 A. At the time, I think, yes.

21 Q. Okay. Anything else that you knew

22 of that reflected poorly on Lieutenant Hill's

23 previous abilities or previous work product or

24 anything?

25 A. I mean, the only direct -- direct

1 link I ever had with Lieutenant Hill when she
2 was -- I was a new sergeant out in the 3rd
3 District. She was a sergeant for -- sergeant's
4 aid for Kenton Rainey, I think was his name,
5 Major Kenton Rainey.

6 Q. Yeah. Well, your next sentence
7 was, I had experience with her when she was a
8 sergeant under Rainey.

9 A. Okay.

10 Q. R A I N E Y?

11 A. Geez -- I think that's right,
12 Rainey, where she was, you know. Our
13 administrative investigations at that time went
14 through one -- one person and he was the final
15 approving authority and it would cross her desk
16 first and -- it was my understanding that she
17 reviewed the investigations and they went to
18 the major.

19 I remember getting investigation
20 back with a paper with a list of questions on
21 it which were all in the original
22 investigation. I just highlighted the
23 different spots to answer the question in the
24 investigation and resubmitted the same
25 investigation and it went through and I felt

1 that -- I mean, that investigation was up to
2 her quite a while.

3 And, again, I don't know if this
4 came from -- it was my feeling it came from
5 Lieutenant Hill to kick it back through, maybe
6 reset time limits on them or -- but it very
7 well could have been Kenton Rainey with these
8 questions that were in that report.

9 Q. So, again, you don't know if it
10 was necessarily her neglecting any duties but
11 that's what you -- that's the opinion or the
12 conclusion that you reached?

13 A. It's the conclusion I reached. If
14 it was Kenton Rainey with these questions, she
15 should have been able to, well, here's the
16 answers to those questions, you know.

17 Q. So you don't think she answered
18 the questions correctly or not to your standard
19 on how the questions should have been handled?

20 A. I don't know what you mean by to
21 my standard. I just felt like these
22 investigations -- I felt like the
23 investigations -- if you just want to know my
24 feelings because that's all I got here --

25 Q. Sure.

1 A. -- I felt like the investigations
2 probably sat on her desk and got kicked back to
3 reset time limits because she had the
4 investigation for so many weeks and kicking it
5 back, getting it back, reset time limits.

6 Q. Okay. And then you say I heard
7 she was kicked out, hard to get things done
8 when she was over in west pod, therefore,
9 problems over there. Do you recall saying
10 something to that regard?

11 A. I do remember saying that. I
12 remember -- I don't remember who it was but I
13 remember -- because that was -- she was over
14 there during the transition of -- we went from
15 districts to pods so, like, 3rd and 5th
16 District combined, and she was over there at
17 that time and I just remember hearing things
18 weren't getting done for that transition.

19 Q. Okay. And so you heard she got
20 kicked out of the department then?

21 A. That's what I said back then. I
22 don't remember saying -- but -- she was moved.
23 I mean, she went from there to -- I don't
24 really know if she went from there to the
25 detective section or -- I honestly don't

1 remember the reasoning or what I heard about
2 her leaving west pod.

3 Q. Okay. And you don't remember who
4 would have told you that?

5 A. No.

6 Q. And so then there's a question,
7 how do you think she's doing, and there's a
8 response written, Reboulet, no, I don't think
9 she's done a good job, I don't think that is
10 because of any feelings of her incompetence
11 that came with her. Do you recall saying that
12 you don't think she's done a good job?

13 MR. BAZELAK: Let me just object in
14 that you're asking questions from a statement and
15 he doesn't have the statement in front of him. So
16 if you have the statement in front of him that he
17 can put everything into context --

18 THE WITNESS: I don't --

19 (Thereupon, Plaintiff's Exhibit 1, a
20 copy of an interview, was marked for purposes of
21 identification.)

22 Q. I'm handing you what's been marked
23 as Exhibit 1. This is the statement that I'm
24 looking at. It's just a part of the OCRC file.
25 I wasn't going to admit it as an exhibit

1 because I think they're statements that someone
2 else wrote down that she said. So I just want
3 to confirm or deny if these things were
4 mentioned by you. If you want to look at them,
5 we can take a look.

6 A. I do remember them asking -- I'm
7 not sure if it came up do you think she's doing
8 a good job or do you think she's doing the job
9 or what but, no, I don't believe she was doing
10 the job.

11 Q. I'm sorry. You don't believe she
12 was doing --

13 A. I don't believe she was doing the
14 job.

15 Q. You mean the job that she had
16 previously or the job that she was doing in the
17 Professional Standards?

18 A. Specifically, her job at
19 Professional Standards.

20 Q. Okay. And did you feel she was
21 being incompetent in her job?

22 A. No, she's a very smart person.
23 I've never seen -- I mean, typos or grammar --
24 grammatical errors she would catch on all the
25 investigations, very smart person, very capable

1 of doing the job, she just was not doing the
2 job.

3 Q. Okay. And so the next sentence,
4 and I'm looking down there in the middle of
5 actually -- so we're starting here. And so
6 there's a statement here where -- like, four
7 paragraphs up from the bottom, second sentence.
8 The investigation of Officer Larry Tolpin, I
9 think, was not substantiated in my opinion.

10 And then there's a note, what
11 Lieutenant Reboulet is referring to in the
12 beginning which she, Lieutenant Hill, was
13 ordered to conduct an investigation of fellow
14 Officer Tolpin. Tim Reboulet and others,
15 including staff under Lieutenant Hill at PSB,
16 felt the investigation led to his dismissal or
17 removal from the force. Is that a correct
18 summary of what went on with Larry Tolpin?

19 A. He was a sergeant. Lieutenant
20 Hill was a lieutenant. I was a sergeant. I
21 wasn't a lieutenant. But that's what I was
22 referring to earlier. I believe that, for lack
23 of a better term, kind of a witch hunt probably
24 on Larry Tolpin. I did not work directly with
25 Larry, but what reputation and contact I did

1 have with him, I thought he was a pretty sharp
2 guy. He left the department after this
3 investigation and I believe -- I mean, I
4 believe he stayed on the payroll for several
5 months just -- I think it was some kind of
6 bargain they made. I don't know.

7 Q. Okay. So the last sentence,
8 Sergeant Reboulet and other staff felt that the
9 investigation conducted by Lieutenant Hill
10 unfairly destroyed Officer Tolpin's career?

11 A. I don't ever remember using the
12 words destroyed his career.

13 Q. Okay.

14 A. I believe it was -- I believe it
15 was an unfair -- I don't want to say attack on
16 Sergeant Tolpin, but everything I saw in the
17 investigation seemed to be -- how do I want to
18 put this -- like, overboard. I believe I
19 remember reading -- hoping my memory's right --
20 but him being insubordinate because he wouldn't
21 have his office painted or something along them
22 lines, yeah.

23 Q. Okay. And did your feelings about
24 that investigation have any effect on your
25 feelings about sergeant -- about Lieutenant

1 Hill?

2 A. No.

3 Q. And do you know if she wanted to
4 come to the PSB when she came in?

5 A. I do not know if she wanted to
6 come. She never expressed an interest to me
7 about wanting to be there.

8 Q. Okay. Did she ever express any
9 desire to be transferred out of PSB to you?

10 A. Not to me, no.

11 Q. And do you know if the other
12 lieutenants had expressed -- if any other
13 lieutenants ever expressed any interest in
14 coming to PSB?

15 A. The lieutenant that you mentioned
16 that I mentioned earlier, Eric Henderson, he's
17 a sharp guy, Lieutenant Gabby, yes, he
18 expressed interest, Lieutenant Booher expressed
19 interest and Kenny Biehl all expressed interest
20 like they -- in the position that they would
21 like to have that.

22 Q. Okay. And they expressed it to
23 you?

24 A. Yes.

25 Q. Did you ever get any explanation

1 from any higher-ups on why Lieutenant Hill was
2 chosen over any of the other lieutenants?

3 A. That meeting that we referred to
4 earlier with Major Ecton, Eric Henderson, he's
5 in a position that they weren't going to move
6 him from. Gregg Gabby, we didn't want him
7 because he was SWAT and didn't want him to be
8 sharing the time. I remember telling him
9 that -- Gregg maybe expressed to us or to me
10 that he was old and just wanted to pass it on
11 to the younger guys. He said that Andy Booher
12 was too immature, and I can't remember what he
13 said about Lieutenant Biehl.

14 Q. Okay. So there seemed to be, at
15 least what you received, was some thought
16 process into why Lieutenant Hill was chosen
17 over other lieutenants?

18 A. I can't answer that question. I'm
19 not sure what the thought process was.

20 Q. There was an express to you, at
21 least some process, on how they eliminated some
22 of the other lieutenants, at least some of the
23 factors that went into it?

24 A. It was my understanding that he
25 already had selected Lieutenant Hill prior to

1 talking to us.

2 Q. Okay.

3 A. Anything anybody said, he just had
4 a reason why he didn't want that person. He
5 said Gregg Gabby, SWAT, I don't want anybody on
6 SWAT, and after telling him he was going to
7 leave SWAT if he got this position, there was
8 no response.

9 Q. Okay. So was there any issues
10 with Lieutenant Hill when she first started in
11 the PSB position, the lieutenant there?

12 A. I don't know what -- what kind of
13 issues are you talking about?

14 Q. I don't know. Let's do this.
15 There was a question if you go on the report --
16 how did you show support for Lieutenant Hill,
17 and there's a response here that they're
18 attributing to you, I asked her what she
19 needed, I took over some of her tasks to keep
20 it in line. We didn't have a bad working
21 relationship in the beginning.

22 A. No, we didn't. I was going to say
23 are you talking personal issues or work issues?
24 I don't remember when the investigation started
25 stacking up without findings. I don't know

1 exactly -- it happened pretty soon. It
2 happened soon after the assignment but I don't
3 remember exactly when they really started
4 stacking up. No, I got along with Lieutenant
5 Hill. We went to the academy together. I know
6 Kim, pleasant person --

7 Q. Okay.

8 A. -- you know. So at the beginning
9 there weren't any issues. She was -- this
10 thing I was talking about, taking over some of
11 her tasks, it was a weekly case review update
12 and it was just listing all open cases and PSB
13 and where they're at, what stage are they at,
14 and that's a task that she was falling behind.

15 We -- it was a meeting with
16 Major -- I think he was still Major Ecton at
17 that time, and I was asked to -- can you
18 take -- can you handle this weekly case update.
19 That was one of the things I -- that we tried
20 to help keep things moving and keep things
21 going.

22 Q. Okay. Now, did she ever express
23 to you that she felt like there were some
24 issues with her authority in the PSB when she
25 came in?

1 A. No.

2 Q. Okay. Did anyone ever come to you
3 and tell you that Lieutenant Hill had
4 complained about issues with her authority in
5 the PSB?

6 A. No. Are you talking about -- no.

7 Q. Nobody ever interviewed you?

8 A. No.

9 Q. Nobody ever asked you to talk to
10 Lieutenant Hill or to make any changes in
11 your -- in how you respond to investigations?

12 A. No.

13 Q. Did you ever complain to anybody
14 else about Lieutenant Hill?

15 A. No. We talked to -- I mean, I
16 talked to like -- we run the mail, and part of
17 running the mail would be taking things to
18 Major Ecton, and when he got promoted to
19 lieutenant colonel, investigations still flowed
20 through his office about the amount of
21 investigations getting stacked up.

22 Q. Okay. Was there any point in time
23 where you were asked or on your own would go to
24 Lieutenant Hill's house?

25 A. I never went to -- oh, have I ever

1 been to Lieutenant Hill's house? Oh, no, no.

2 She was involved in an accident near her house,

3 but I've never been to Lieutenant Hill's house.

4 Q. Did you ever drive past her house

5 to check that she was there?

6 A. No.

7 Q. At any point?

8 A. No, I mean, there was times where

9 we would go by -- I'd have to go by like west

10 pod, which is down Washington and -- no. As

11 far as going by there specifically to check to

12 see if she was there, no.

13 Q. Okay. There's a mention in here

14 about there was calls for Lieutenant Hill and

15 for one reason or another she could not be

16 located.

17 A. Yeah, there were calls. Yeah, I

18 don't know -- there were calls, she couldn't be

19 located.

20 Q. Okay. Did you ever do anything to

21 try to find her?

22 A. We made calls, I mean, yeah.

23 Q. Or would you ever send an officer

24 by her house to try and find her?

25 A. No.

1 Q. Okay. Did you ever tell any other
2 detectives, officers in your department that
3 you were going by Lieutenant Hill's house?

4 A. No. I do remember seeing her car
5 out there. I don't even know which house would
6 have been hers.

7 Q. Okay.

8 A. But she's got that -- she had a
9 white Ford Fusion maybe, regular city car.

10 Q. Okay. And you saw her car where?

11 A. At -- on the street. I don't even
12 remember what street she lived on.

13 Q. Okay.

14 A. Area over by west pod.

15 Q. She said she lives on Hawthorne.

16 A. Maybe. If that's where she lives,
17 that's where she lives.

18 MR. BAZELAK: I wouldn't go any
19 further on the address --

20 MS. BROWN: Okay.

21 MR. BAZELAK: -- for her benefit.

22 MS. BROWN: Okay. She told me it's
23 fine to talk about it.

24 Q. Let me ask you this because she
25 said in her deposition too -- is that a side

1 street that she lives on?

2 A. It is a side street, yes.

3 Q. Okay. And so you saw her car on
4 the side street?

5 A. I might have gone by there to -- I
6 mean, not gone by there but taken a different
7 route to west pod to go through that
8 neighborhood, Lieutenant's not around, you
9 know, but I don't ever go there and like
10 document like, okay, she's not here or she's at
11 home when she should be at work or anything
12 like that --

13 Q. Okay.

14 A. -- you know.

15 Q. Did you have a problem with
16 communicating with Lieutenant Hill at all?

17 A. No. When we would be, we're not
18 communicating --

19 Q. That's what I was going to say. I
20 think there's kind of a reference in here --
21 let me find it -- that she wouldn't talk
22 directly to you or you guys never had direct
23 conversations?

24 A. There was a report concerning
25 complaint receipts and -- long story, but

1 complaint receipts did not have dispositions on
2 them founded, unfounded, whatever because
3 they're not investigative reports. It was one
4 of the reports we generated for the chief and
5 the chief wanted to know the disposition of
6 these cases.

7 So there was -- so I tried to find
8 out what type -- how do you want to handle
9 this, how are we going to handle this, and it
10 was like just do the report. She didn't
11 communicate how she thought -- I said, what
12 does the chief want. Well, the chief doesn't
13 know what he wants.

14 So I did the report with like
15 closed, for lack of a better term, all these
16 complaint receipts were closed, and then there
17 was an e-mail sent to me in which she CC'd,
18 like, the chief of police and all the command
19 staff pretty much saying something along the
20 lines of -- made me sound incompetent saying
21 that she gave me specific instructions on how
22 to complete this report and I failed to follow
23 her instructions.

24 It made me sound like an idiot. I
25 didn't respond to that e-mail. I went into her

1 office to ask her what's this about and the
2 only response I got was we're not talking about
3 this, Timothy, just said we'd have a meeting
4 with the major, which we never did.

5 There was a meeting with the major
6 later on. I said, we're here, I want to break
7 this up. And, again, we're not talking about
8 that thing. So that issue was never -- never
9 solved. I don't know.

10 Q. Did she ever appear distressed or
11 depressed in any way to you?

12 A. I wouldn't be qualified to tell if
13 someone's depressed or distressed. She's
14 never -- besides that incident of kind of like
15 snapping a little bit saying just do the
16 report, probably pretty level keel.

17 Q. Okay. Did she close the door to
18 her office more than other lieutenants did that
19 you worked for?

20 A. No. She did work behind closed
21 doors at times. I closed my doors at times
22 when I had reports that I was trying to knock
23 out and things I wanted to concentrate on. My
24 office door was right next to the kitchen so
25 nothing -- I mean, there was a time period

1 where when she did come into work, she did sit
2 and close the door but --

3 Q. Okay. Now, how was the duties
4 that -- the interim duties that you and Rike
5 were taking on as interim lieutenants, I guess,
6 or acting commanders, was there ever an
7 official process or official memorandum or case
8 note or any direction on how those duties were
9 going to be transferred over to Lieutenant
10 Hill?

11 A. No. It was just -- it's practice.
12 I mean, we didn't have a lieutenant. We did
13 the job. When we got a lieutenant, lieutenant
14 did the lieutenant's job.

15 Q. Okay. Was there ever any instance
16 where you were still doing kind of some of the
17 lieutenant duties because you felt like
18 Lieutenant Hill wasn't doing them or couldn't
19 do them?

20 A. The only -- what I did was -- what
21 I was asked to do was like the weekly case
22 update log.

23 Q. Okay. You stated in here that you
24 took over some of her tasks to keep it in line.
25 Is that what you're referring to?

1 A. That is the weekly case update
2 log, to keep updated -- keep everything in
3 line, what investigations we actually had open
4 in our unit and where they were at and where
5 are they at in the process, if we're waiting
6 on -- some investigations held for a while, if
7 we're waiting on the criminal case to be
8 disposed of or gone through and time limits.
9 Once someone gets what we call an S93, which is
10 the signature of acknowledging an investigation
11 is being done, there's time limits, contractual
12 time limits to stay within --

13 Q. Okay. Do you know if there was
14 any discussion about Lieutenant Hill coming
15 into the command at PSB, whether it was only
16 going to be a temporary position and she wasn't
17 supposed to be there that long or permanently?

18 A. I have no information on that.
19 That was never discussed with me.

20 Q. Did you hear rumors about that or
21 this is the first time you heard this being
22 mentioned?

23 A. That is the first I ever heard it
24 being mentioned.

25 Q. Okay. Had you ever heard that she

1 had made good changes in the west patrol and
2 reorganized it to make it more efficient? Was
3 that ever a rumor that you heard?

4 A. That's not a rumor I heard, no.

5 Q. Okay. Had you ever heard that she
6 had negotiated a contract with Central State to
7 get extra space for the people over in the west
8 patrol?

9 A. I'm not aware of that.

10 Q. Okay. And that she had gotten a
11 lot of attention for great accomplishments over
12 in the west patrol? Had you ever heard that
13 rumor?

14 A. I never heard that.

15 Q. Okay. Had you ever heard any good
16 rumors about Lieutenant Hill?

17 MR. BAZELAK: Objection as to rumors.
18 Go ahead.

19 THE WITNESS: Rumors, no.

20 Q. Do you remember an incident with
21 some patrol vehicles being assigned that were
22 assigned by someone else other than Lieutenant
23 Hill in the department?

24 A. Talking about -- are you talking
25 about vehicles in our unit?

1 Q. Yes.

2 A. Yes.

3 Q. Okay. What do you remember about
4 that?

5 A. I remember -- I think he was
6 Colonel Ecton then maybe -- Tom Albright, he
7 was getting a different vehicle and -- yeah, I
8 remember him saying he was getting a different
9 vehicle. He got a Ford Fusion and he had an
10 old Ford Taurus maybe. I don't know. One of
11 the better cars that we had though --

12 Q. Okay.

13 A. -- that we wanted to keep. Then
14 soon after that I got a call from the vehicle
15 coordinator, Powers, Sergeant Powers, saying
16 that the unit was also going to get a Ford --
17 one of the small cars, it's what I was driving,
18 terrible city car.

19 Q. Ford Focus?

20 A. Was it a Focus? Was Focus a
21 small -- yeah, it was a Focus, and he wanted
22 these two cars back, which are the older cars
23 in the unit. We had the highest mileage ones.
24 He wanted these two cars back. So Rob -- Rob's
25 car he was driving was one car we was going to

1 keep. I think the car that Darrel Smith was
2 driving and -- I work with these guys -- Des
3 Murphy --

4 Q. Okay.

5 A. -- Des Murphy was driving, they
6 were taking those two cars away. Howard Jordan
7 was still in the unit. He was driving an older
8 car. I went to Howard Jordan and asked, you
9 know, what's his preference, does he want to
10 stay in that car or possibly does he want to
11 move into Rob's car that was being shuffled
12 into the -- he said he only had a few more
13 months left, he wanted to stay where he was at.

14 The next person with seniority was
15 Darrel Smith who was now going to be without a
16 car. What do you want to do, do you want the
17 new Ford Focus or the Taurus we're keeping from
18 Rob. He said I need more room, I'll take the
19 Taurus. Dennis Murphy, being the low man,
20 ended up with the Focus.

21 This all happened bam, bam, bam.
22 We didn't get the cars. This is just, you
23 know, what I knew was coming in. I went to
24 Lieutenant Hill and said, apparently, we're
25 getting a couple cars and then I kind of ran it

1 down to her, you know, what it was about, you
2 know, Major Ecton or colonel, I think, at the
3 time, him calling, got Rob the car and how
4 everything else fell in line.

5 And she was like, okay, run that
6 by me again, and I was like -- so I ran it by
7 her again and, again, these cars weren't
8 assigned to anybody. We don't even got the
9 cars yet. At any time she could have said that
10 isn't what I want to do or anything. We didn't
11 have the cars yet but they were coming.

12 She said, okay, thanks, Tim -- or
13 Timothy, I think, thanks, Timothy. This was an
14 e-mail the following day. I think I took the
15 day off. There was an e-mail the following day
16 how I went around her or -- I don't remember
17 exactly -- remember how the e-mail was, but it
18 sounded like we were -- it was just another
19 example of insubordination --

20 Q. Okay.

21 A. -- which -- yeah.

22 Q. Okay. And you were rolling your
23 eyes and we'll put that on the record. Did
24 you -- was that the first time you had heard
25 her say anything about insubordination?

1 A. I believe so, yes.

2 Q. Okay. Was there ever any other
3 situation where you heard something like
4 insubordination being mentioned?

5 A. Insubordination, no, just -- what
6 we talked about earlier on CRs, but that was
7 pretty much me being called incompetent or
8 something along them lines.

9 Q. Do you recall Lieutenant Hill
10 giving Sergeant Rike a task of updating an SOP
11 that was never performed?

12 A. SOP?

13 Q. A standard operating procedure.

14 A. I don't recall that.

15 Q. Okay. Did -- did majors ever
16 continue to call you directly or speak to you
17 directly about issues or things they needed
18 from the Professional Standards Bureau after
19 Lieutenant Hill came on?

20 A. Are you talking about like --
21 concerning, like, callouts and cases like that?

22 Q. Yeah, or anything.

23 A. Well, there's a lot of things
24 like -- we went to a new system of reporting.
25 We went from paper to digital. Blue team is

1 what they had on the street. They would do
2 their investigations on blue team which had all
3 kind of different sheets that needed to be
4 filled, requirements for certain types of
5 investigations. So, yeah, I would get calls,
6 like, is this needed in this report or things
7 like that, yeah.

8 Q. Okay.

9 A. Just procedural type of things
10 like -- or if there was a cruiser accident, the
11 use of force, do I have to do a cruiser
12 accident and a use of force or can it be done
13 on one investigation. That's because I did
14 weekly updates --

15 Q. Okay.

16 A. -- on all open investigations to
17 all the different districts so the majors would
18 be able to know what was out there in their
19 assigned areas, their responsibility.

20 Q. Okay. Do you think there was --
21 that Lieutenant Hill brought benefit to the
22 office or any benefit to the office when she
23 came in?

24 A. I believe the potential was there
25 but the -- just the performance wasn't there.

1 I don't know what a benefit would have been.

2 Q. Do you believe that you did
3 everything you could to support Lieutenant Hill
4 when she came into the office to make sure she
5 transitioned smoothly in the leadership role
6 there?

7 A. Absolutely. We had a lot of
8 conversations early on about how things worked
9 and what needed to be done, where we were at
10 with things, yeah. We created numerous other
11 monthly reports, yearly reports which we never
12 did before when she got there. I say we. I'm
13 the one that tried to figure out what was
14 needed in these reports and got put together.

15 Q. Did you feel like before
16 Lieutenant Hill came that you and Sergeant Rike
17 were doing the job well or to the standards
18 that the DPD wanted before they came in?

19 A. Yes, I believe I've done every job
20 I've done in the department for 29 years well.

21 Q. Okay. Do you feel like you had to
22 give instructions to Lieutenant Hill on how to
23 do her job?

24 A. No. She was lieutenant for a
25 while. It's not really a different job, I

1 mean, it's just different location, you know.

2 I mean -- I don't remember giving -- feel like

3 I had to give her instructions on how to do the

4 job. If she had any questions, I would answer

5 all her questions.

6 Q. And is Sergeant Rike still in PSB?

7 A. He -- his -- his position, I

8 think, is, from what I understand, it's still

9 under PSB. Department advocate, I believe, is

10 what his position title is at this time.

11 Q. Okay.

12 A. I don't know who the lieutenant

13 is -- Sheldon maybe is what I heard is his

14 lieutenant so --

15 Q. And so Sheldon was one of the ones

16 that you initially put on the list?

17 A. No. At that time I think he was

18 the sergeant at that time.

19 Q. Okay.

20 A. And I don't know Lieutenant --

21 Sergeant Sheldon or Lieutenant Sheldon. I

22 can't remember his first name right now.

23 MR. BAZELAK: Eric.

24 Q. I'm sorry. I got Eric Henderson

25 and Eric Sheldon confused. So Eric Henderson

1 was one of the people that you wanted --

2 A. Right, I worked with Eric.

3 MR. BAZELAK: Henderson.

4 THE WITNESS: Henderson. Thank you.

5 Q. Did you ever work with Eric
6 Sheldon?

7 A. No.

8 Q. Okay. Had you ever worked with
9 Carper?

10 A. No, not before he came to PSB.

11 Q. So he was your lieutenant in PSB,
12 but before that you hadn't worked with him?

13 A. I don't think I ever did, no.

14 Q. Okay. While Lieutenant Hill was
15 your lieutenant in the PSB, did you ever tell
16 Carper that you had difficulty accepting
17 Lieutenant Hill as the commander in PSB?

18 A. As accepting her, no.

19 Q. Okay. Did you ever tell
20 Lieutenant Carp -- well, what is he?
21 Lieutenant commander?

22 A. Lieutenant colonel.

23 Q. -- Lieutenant Colonel Carper that
24 you had reservations about Lieutenant Hill's
25 qualifications for the job as lieutenant of

1 PSB?

2 A. Her qualifications, no.

3 Q. Did you ever tell Lieutenant
4 Commander -- Lieutenant Colonel Carper that you
5 had concerns or feelings that Lieutenant Hill's
6 findings were months behind or late?

7 A. I think we had conversations -- I
8 mean, I don't remember going to him
9 specifically for that task, but we had had
10 conversations, yeah, and then Colonel Ecton.

11 Q. Okay. Did you tell Carper that
12 Lieutenant Colonel -- sorry -- Lieutenant Hill
13 doesn't speak to you but she goes into her
14 office and basically shuts the door?

15 A. There was a time period that that
16 was happening, yes.

17 Q. Okay. Did you ever talk to
18 Lieutenant Hill about why she wouldn't speak to
19 you or go in the office and shut the door?

20 A. I'll say I did not, no.

21 Q. Okay. Did you tell Carper that
22 there are long periods of time, according to
23 them, that you don't know where she is?

24 A. Yeah. There was a time where we
25 were all on time clocks -- would clock in but

1 not see her till late afternoon.

2 Q. Did you ever feel that you were
3 reporting or handling issues outside of the
4 proper channel of command with any PSB?

5 A. No.

6 Q. Did anyone ever tell you that you
7 were doing things outside the chain of command?

8 A. No.

9 Q. Did Carper ever ask you to keep
10 tabs on Lieutenant Hill for her -- for hours or
11 amount of time she was working during her time
12 period?

13 A. No. I don't recall that, no.

14 Q. Do you recall ever sending any
15 text messages about Lieutenant Hill's time that
16 she was working to anyone?

17 A. Are you asking was I reporting to
18 somebody, no. I don't remember sending any
19 text messages to anybody saying anything about
20 time.

21 MS. BROWN: Okay. I think that's all
22 the questions I have. Thank you.

23 MR. BAZELAK: We'll read.

24 (Thereupon, the deposition was
25 concluded at 11:47 o'clock a.m.)

1 I, TIMOTHY REBOULET, do hereby certify
2 that the foregoing is a true and accurate
3 transcription of my testimony.

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Dated -----

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25 Job: 190327SLK

1 STATE OF OHIO)

2 COUNTY OF MONTGOMERY) SS: CERTIFICATE

3 I, STACEY L. KIMMEL, a Notary

4 Public within and for the State of Ohio, duly

5 commissioned and qualified,

6 DO HEREBY CERTIFY that the

7 above-named TIMOTHY REBOULET, was by me first duly

8 sworn to testify the truth, the whole truth and

9 nothing but the truth.

10 Said testimony was reduced to

11 writing by me stenographically in the presence

12 of the witness and thereafter reduced to

13 typewriting.

14 I FURTHER CERTIFY that I am not a

15 relative or Attorney of either party, in any

16 manner interested in the event of this action,

17 nor am I, or the court reporting firm with which

18 I am affiliated, under a contract as defined in

19 Civil Rule 28(D).

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1 IN WITNESS WHEREOF, I have hereunto set
2 my hand and seal of office at Dayton, Ohio, on
3 this 10th day of April, 2019.

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STACEY L. KIMMEL
NOTARY PUBLIC, STATE OF OHIO
My commission expires 6-10-2021

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April 10, 2019

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Re: *Hill, Kimberly v. City of Dayton Police Dept., et al.*

Dear Mr. Reboulet:

Enclosed is your transcribed deposition. The Rules of Civil Procedure allow **thirty (30) days** for you to read the transcript and return the signature page and corrections sheet to us.

If you have any corrections or changes to your transcript, please write them on the provided corrections sheet, including the appropriate page and line number from the transcript and any necessary explanation.

Please sign and date the signature page and return it with the corrections sheet in the enclosed envelope. We will forward these to the attorneys involved.

If you do not return the signature page within **thirty (30) days**, a waiver of signature will be executed and the transcript may then be used as your sworn testimony.

Very truly yours,

MIKE MOBLEY REPORTING



Courtney Elliott

cc: Leonard J. Bazalak, Esq.
Chanda L. Brown, Esq.